

**From:** Sonja Wallace  
**To:** Baker, Paul; Pre-Design  
**Date:** 8/25/04 10:04AM  
**Subject:** Pre-Design meeting Sept 2nd at 9:30

5/047/068

A Pre-Design meeting has been scheduled for sept 2nd at 9:30 am, room 201, DEQ admin building, 168 north 1950 west. The company, Wembco, is planning on working in the vernal area on an experimental tar sands separation project. The pre-design was requested by Pruiit Gushee law firm and they have requested information from the company that will be forthcoming. Below is the information that Matthew Crockett from the law firm has asked the company to prepare for the meeting. As soon as I receive I will forward to you. Please plan on sending a representative and please RSVP to me who that rep will be by August 31st. If you have any questions, please e-mail or call me at 536-4477. Thanks!

Sonja: What follows is a copy of my request for information for the September 2, predesign meeting that I sent Wembco's potential experimenters. None could reply as quickly as I had hoped, but I pushed them for the end of this week. I will forward the responses to you as I receive them. Please contact me if you need any additional information. Matt Matthew L. CrockettPRUITT GUSHEE To Wembco:

As I mentioned on the telephone, I am meeting with the State of Utah Department of Environmental Quality ("UDEQ") and the Division of Oil, Gas and Mining ("DOGM") to determine what changes will be necessary to Wembco's permit for the "D" Tract Mine in order to allow (1) the tar sands separation technology experiments; and (2) hopefully for the permit to be revised to set parameters for the regulated disposal of waste sand on the mine. This meeting will be attended by representatives of the appropriate UDEQ divisions (like air quality, water quality, solid waste, etc.) and by a DOGM reclamation specialist. The meeting is scheduled for September 2, 2004. Prior to that date and as soon as possible, I need to circulate the following information to the regulators:

1. separation process (i.e., chemical reagent with mechanical conveyor, chemical solvent, steam, heat treatment, etc.) and throughput of ore in volume/time or days;
2. number of days you anticipate being on-mine and number of days you anticipate operating;
3. how much space your process will occupy (and if you will refer to the HDPE-lined containment area in Wembco's access agreement, how large the containment area will be), give approximate dimensions in feet;
4. volume of ore sand you plan to process;
5. residual hydrocarbon concentration of sand volume of waste sand that will be generated;
6. quantity of water anticipated to be used and (and whether solid, liquid, unchanged, etc.);
7. volume of wastewater anticipated;
8. condition (i.e., the state of matter) of separated bitumen;
9. any other types of waste you or the process will generate;
10. types of emissions you anticipate (i.e., steam, smoke, chemical vapors, volatile organic compounds, generator exhaust, etc.) based on your process and/or reagents;
11. number of people who will be working to perform the test on the mine.

Please send me this information as soon as you are able. We would like to present accurate information to the state. Be advised that if your answers to these questions vary significantly or materially from your actual proposals to Wembco or your actual operations on the mine, Wembco may refuse to allow, or may terminate your access to the mine. If you are allowed access to the mine, you will bear the financial responsibility of revising the permit and any related costs prior to entering the mine. Likewise, if you do not respond to this request, Wembco may not allow access to the mine and if access is allowed, you will bear all financial responsibility for permit revisions and any related costs prior to entering the mine. Thank you. I would like to send the information to the state by the end of this week. Please contact me with any questions or if you need additional information. Matthew L. CrockettPRUITT GUSHEE Professional Corporation 1800 Beneficial Life Tower Salt Lake City, Utah 84111 (801) 531-8446 (phone) (801) 531-8468 (fax) Confidentiality Notice: The information contained in this email (and/or attachments accompanying it) may be privileged, confidential or otherwise protected from disclosure. If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution, copying, or the taking of any action in reliance on the contents of this transmission is strictly prohibited. If you have received this email in error, please reply to the sender that you received this information and please delete this email after doing so. Thank you.

**CC:** Joseph Shaffer; mlc@pruittgushee.com